RNI No. MAHBIL /2009/40123

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच—अ

वर्ष १२, अंक ९] शुक्रवार, मार्च १३, २०२६/फाल्गुन २२, शके १९४७ [पृष्ठे ११, किंमत : रुपये ३६.००

असाधारण क्रमांक १५

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद).

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the **13th March, 2026** is published under Rule **117** of the Maharashtra Legislative Assembly Rules :—

L. A. BILL No. XX OF 2026.

A BILL

to provide for protection of right to freedom of religion and prohibition of unlawful conversion from one religion to another religion and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to enact a law to provide for protection of right to freedom of religion and prohibition of unlawful conversion from one religion to another religion and for matters connected therewith or incidental

thereto; it is hereby enacted in the Seventy-seventh Year of the Republic of India as follows :—

CHAPTER I

Preliminary

Short title and commencement.

1. (*1*) This Act may be called the Maharashtra Freedom of Religion Act, 2026.

(*2*) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "allurement" means an offer of any temptation in the form of,—

(*i*) any gift, gratification, easy money or material benefit either in cash or kind; or

(*ii*) employment; or

(*iii*) free education in school or college run by any religious body or institution; or

(*iv*) promise to marry; or

(*v*) better lifestyle, divine healing; or

(*vi*) portraying practice, rituals and ceremonies or, any integral part of a religion in a detrimental way *vis-a-vis* another religion; or

(*vii*) glorifying one religion *vis-a-vis* another religion;

(*b*) "coercion" means compelling an individual, family or group to act against his or their will, by use of psychological pressure or physical force causing bodily injury or threat thereof, including the threat of divine displeasure or social ex-communication or threatening of dire consequences with regard to life, limb or property of the related persons;

(*c*) "Competent Authority" means the District Magistrate or any officer authorized by the Government;

(*d*) "conversion" means renouncing one's own religion and adopting another religion;

(*e*) "deceit" means dishonest behaviour, trying to make somebody believe to something which is not true;

(*f*) "force" includes use of criminal force or threat of injury of any kind to the person converted or sought to be converted or to any other person or property;

(*g*) "fraudulent" means impersonation of any kind by false name, false surname, false religious symbol, fraudulent contrivance or otherwise, acting individually or in collusion;

(*h*) "institution" includes all legal entities (registered or unregistered), educational institutions, religious, social or charitable organizations, orphanages, old age homes, hospitals, association of persons, Non-Governmental Organizations, and such other organizations;

(*i*) "mass conversion" means conversion from one religion to another religion of two or more persons at the same time;

(*j*) "minor" means a person under eighteen years of age;

(*k*) "prescribed" means prescribed by rules made by the Government under this Act ;

(*l*) "religion" includes any organized system of worship pattern, faith, belief, worship or lifestyle, as prevailing in India or any part of it, or defined under any law or custom for the time being in force;

(*m*) "religion converter" means any person or institution of any religion that perform any act of conversion from one religion to another religion;

(*o*) "undue influence" includes relations subsisting between the persons are such that the religion converter is in a position to dominate the will of the other and uses that position to convert such other person from one religion to another religion;

(*p*) "unlawful conversion" means conversion of person from one religion to another, by use or practice of allurement, coercion, deceit, force, misrepresentation, threat, undue influence, or any fraudulent means, or by brainwashing through medium of education or by any other such means.

CHAPTER II

Prohibition of Unlawful Conversion

Prohibition of unlawful conversion.

3. (*1*) No person, acting individually or in collusion with other individual or institution, shall convert or attempt to convert or assist or abet or connive or conspire in converting, either directly or otherwise, any other person from one religion to another religion by,—

(*a*) use or practice of,—

(*i*) allurement,

(*ii*) coercion,

(*iii*) deceit,

(*iv*) force,

(*v*) misrepresentation,

(*vi*) threat,

(*vii*) undue influence, or

(*viii*) any fraudulent means; or

(*b*) solemnization of marriage or relationship in the nature of marriage or by promise of marriage by use or practice of any of the acts mentioned in clause (*a*) above.

(*2*) Any conversion made in contravention of the provisions of sub-section (*1*) shall be an offence punishable under this Act.

(*3*) Any conversion made in contravention of the provisions of sub-section (*1*) shall be null and void.

Marriage for sole purpose of unlawful conversion to be null and void.

4. Any marriage solemnized with the sole purpose of unlawful conversion shall be declared as null and void by the court on a petition presented by either party to the marriage against other party thereto.

Right of child.

5. (*1*) Any child born out of marriage or relationship in the nature of marriage, caused due to unlawful conversion shall,-

(*a*) be deemed to belong to the religion of mother before such marriage or relationship in the nature of marriage,

(*b*) have succession rights in the property of mother and father as per the prevailing succession laws applicable to the mother and father, and

(*c*) be entitled to maintenance as per the provisions of section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023. 46 of 2023.

(*2*) The custody of the child shall be with the mother of the child unless the court decides otherwise.

CHAPTER III

Procedure for Lawful Conversion

Declaration of intention of conversion.

6. (*1*) Any person, who intends to convert from one religion to another religion, and any person or institution which intends to organise conversion ceremony, shall give a notice sixty days prior to such proposed conversion, to the Competent Authority where such conversion is proposed to be organized, in such form and in such manner, as may be prescribed.

(*2*) The Competent Authority shall, after receiving the notice under sub-section (*1*), notify the proposed religious conversion on notice board of the office of the Competent Authority and in the office of the village panchayat or in the office of local authority where such person or persons reside, calling for objections within thirty days from issuance of notice.

(*3*) If any objections are received or otherwise, the Competent Authority may make an enquiry through police with regard to the intention, purpose or cause of the proposed conversion.

(*4*) If the Competent Authority after the said inquiry is satisfied that the conversion is in contravention of the provisions of the Act, then he shall cause the concerned police authorities to initiate criminal proceedings for contravention of the provisions of the Act.

Declaration after conversion.

7. (*1*) The converted person and the person or institution which has organised the conversion shall submit a declaration to the Competent Authority in such form and in such manner as may be prescribed, within twenty-one days from the date of such conversion.

(*2*) The declaration shall contain the requisite details *i.e.* the particulars of the converted person such as name, age, permanent address, the present place of residence, mother's name, father's name, spouse's name, the religion to which the converted person originally belonged and the religion to which he is converted, the date and place of conversion and nature of process gone through for conversion, etc.

(*3*) The Competent Authority shall record the factum of declaration made by such person or institution.

(*4*) If the person or institution fails to submit declaration of such conversion as specified in sub-section (*1*), then such conversion shall be null and void.

CHAPTER IV

Offences and Punishment

Person competent to lodge complaint.

8. (*1*) The converted person, parents, brother or sister of such person or any other person who is related to such person by blood, marriage or adoption, may lodge first information report of unlawful conversion to the police.

(*2*) It shall be mandatory for the police officer in charge of the police station to register a complaint made by any person specified in sub-section (*1*).

(*3*) If police officer is satisfied that the conversion is made or is being made in contravention of the provisions of the Act, then he shall take *suo motu* cognizance of such contravention.

Offences and punishment.

9. (*1*) Whoever contravenes the provisions of section 3 shall be punished with imprisonment for a term of seven years and shall also be liable to fine of one lakh rupees.

(*2*) Whoever contravenes the provisions of section 3 in respect of a minor or a person of unsound mind or a woman or a person belonging to the Scheduled Castes or Scheduled Tribes shall be punished with imprisonment for a term of seven years and shall also be liable to fine of five lakh rupees.

(*3*) Whoever contravenes the provisions of section 3 in respect of mass conversion shall be punished with imprisonment for a term of seven years and shall also be liable to fine of five lakh rupees.

(*4*) Whoever have been previously convicted of an offence under this Act, has again committed an offence punishable under this Act, such person or institution shall be punished with imprisonment for a term of ten years and shall also be liable to fine of seven lakh rupees.

Penalty for institution.

10. (*1*) If any institution or organisation violates the provisions of this Act, the registration of such organisation or institution under any law for time being in force, may be cancelled by the Authority competent to do so and the person or persons in charge of the affairs of the organisations or institutions, as the case may be, shall be punished with imprisonment for a term of seven years and shall also be liable to fine of five lakh rupees.

(*2*) The State Government shall not provide any financial aid or grant to such organization or institution violating the provisions of this Act.

Parties to offence.

11. If an offence is committed under this Act, each of the following shall be deemed to have taken part in committing the offence and shall be deemed to be guilty of the offence and shall be charged as if he has actually committed the said offence, that is to say,—

(*i*) every person who actually does the act which constitutes the offence;

(*ii*) every person who does or omit to do any act for the purpose of enabling or aiding another person to commit the offence;

(*iii*) every person who aids or abets another in committing the offence;

(*iv*) any person who counsels, convinces or procures any other person to commit the offence.

Person endorsing documents of unlawful conversion.

12. Any person who executes or endorses or attests any document regarding the conversion made in contravention of the provisions of this Act, shall be deemed to be abetting or aiding the offence and shall be liable to be punished under the provisions of this Act.

Burden of proof.

13. The burden of proof that a religious conversion was not made in contravention of the provisions of this Act shall lie on the person who has caused such conversion and on the abettor who assists, aids or abets such conversion.

Power to investigate.

14. The investigation of any offence punishable under this Act shall be made by an officer not below the rank of Sub-Inspector of Police.

Offences to be cognizable and non-bailable.

15. (*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, every offence committed under this Act shall be cognizable and non-bailable. 46 of 2023.

(*2*) All offences under this Act shall be triable by the Court of Sessions.

CHAPTER V

Miscellaneous

Protection to victims of unlawful conversion.

16. (*1*) The victims of religious conversion made in contravention of the provisions of this Act shall be entitled for maintenance and custody of children.

(*2*) The State Government shall provide such rehabilitation support to the victims of unlawful conversion, as may be prescribed.

Power to make rules.

17. (*1*) The State Government may make rules, by notification published in the *Official Gazette*, to carry out the purposes of this Act.

(*2*) Every rule made under this Act shall be laid as soon as may be, after it is made, before each House of the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify their decision to that effect in the *Official Gazette*, the rule shall from the date of publication of such decision in the *Official Gazette*, have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Removal of difficulties.

18. (*1*) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an order published in the *Official Gazette*, make such provisions or give such directions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removal of difficulty:

Provided that, no order under this sub-section shall be made after the expiry of a period of two years from the date of commencement of this Act.

(*2*) Every order made under sub-section (*1*) shall, as soon as may be after it is made, be laid before each House of the State Legislature.

STATEMENT OF OBJECTS AND REASONS

The right to freedom of religion guaranteed under the Constitution of India is not absolute but is subject to public order, morality, health and to other provisions of Part III of the Constitution relating to the fundamental rights of citizens. The Supreme Court of India has in many cases held that the freedom of religion is subject to reasonable restrictions and right to propagate under article 25 of the Constitution does not include the right to forcibly convert another person.

2. Instances of religious conversions which are forceful, involuntary or caused by influencing free consent of the citizens have been increasing and are being carried out in organized manner by various institutions. Many instances of mass conversion have come to light where gullible persons have been forcefully converted from one religion to another by offering any gift, gratification, easy money or material benefit either in cash or kind, employment, free education in school or college run by any religious body or institution, promise to marry, better lifestyle, divine healing, etc. These instances are causing disturbance to public order in the State and are affecting social harmony.

Individuals or families are susceptible to unlawful conversions due to their social and economic vulnerability in the society. Such vulnerable sections of the society need protection from the State. The existing laws are not sufficient to tackle various issues arising out of such religious conversion.

3. The State of Maharashtra has no law to regulate such religious conversions. Various States such as Orissa, Madhya Pradesh, Uttar Pradesh, Gujarat, Arunachal Pradesh, Himachal Pradesh, Karnataka, Uttarakhand, Tamil Nadu, etc., have already enacted the Freedom of Religion Acts for prohibition of such forceful and unlawful conversions from one religion to another.

The Government of Maharashtra has, therefore, constituted a special committee consisting of the Director General of Police and officers of the concerned Departments of Government to study legal issues relating to religious conversion. The said committee has, after due deliberations and consideration of various similar laws in other States, recommended enacting the Maharashtra Freedom of Religion Act for the State of Maharashtra.

Therefore, the Government of Maharashtra considers it expedient to enact a law to protect the right of freedom of religion and to prohibit unlawful conversion.

4. The salient features of the proposed law are as follows:—

(*a*) to prohibit conversion made by use or practice of allurement, misrepresentation, force, undue influence, coercion or by any other fraudulent means, etc.;

(*b*) to provide the procedure for conversion which includes declaration of intention of conversion by giving prior notice to the Competent Authority;

(*c*) to provide for declaration by the converted person and the person and institute which organize such conversion, to the Competent Authority after conversion;

(*d*) to provide for offences and punishment for violating the provisions of the proposed law;

(*e*) to provide for investigation of unlawful conversion by an officer not below the rank of Sub-Inspector of Police;

(*i*) to provide that offences under the law shall be cognizable and non-bailable;

(*g*) to provide for rehabilitation support by the State Government to victims of unlawful conversion and maintenance and custody of children.

5. The Bill seeks to achieve the above objectives.

Mumbai,
Dated the 12th March, 2026.

DEVENDRA FADNAVIS,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposals for delegation of legislative powers, namely :—

Clause 1(2).—Under this clause, power is taken to the State Government, to appoint by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 6(1).- Under this clause, power is taken to the State Government, to prescribe by rules the form and manner for giving notice to the Competent Authority before conversion.

Clause 7(1).—Under this clause, power is taken to the State Government, to prescribe by rules the form and manner for submitting a declaration after conversion to the Competent Authority.

Clause 16(2).—Under this clause, power is taken to the State Government to prescribe by rules the rehabilitation support for the victims of unlawful conversion.

Clause 17(1).—Under this clause, power is taken to the State Government to make rules to carry out the purposes of this Act, by issuing a notification in the *Official Gazette*.

Clause 18(1).—Under this clause, power is taken to the State Government to issue an order in the *Official Gazette* for removing any difficulty, which may arise in giving effect to the provisions of this Act.

2. The above-mentioned proposals for delegation of legislative powers are of normal character.

FINANCIAL MEMORANDUM

Sub-clause (*2*) of clause 16 of the Bill provides for rehabilitation support to the victim of unlawful conversion as may be prescribed.

The Bill on its enactment as an Act of the State Legislature would involve recurring expenditure from the Consolidated Fund of the State towards the rehabilitation support for the victims of unlawful conversion. However, it is not possible at this stage to give an estimate of actual recurring expenditure that may have to be incurred in this behalf.

GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

(Copy of Government of Maharashtra Order, Law and Judiciary Department.)

In exercise of the power conferred upon him by clause (3) of Article 207 of the Constitution of India, the Governor of Maharashtra is pleased to recommend to both Houses of the State Legislature, the Consideration of the Maharashtra Freedom of Religion Bill, 2026.

Vidhan Bhavan,
Mumbai,
Dated the 13th March, 2026.

JITENDRA BHOLE,
Secretary-1,
Maharashtra Legislative Assembly.

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